

**AFFIDAVIT OF RICHARD T. STRUCKHOFF**

I, Richard Struckhoff, being first duly sworn under oath do hereby swear and affirm as follows:

1. I am over the age of twenty-one (21) and not otherwise disqualified from giving this Affidavit. I reside at 1321 E. Hanover, Springfield, MO 65804.

2. I currently am and have been since at least 1987, the County Clerk of Greene County, Missouri. In that capacity I am the election authority in Greene County and I am responsible for conducting elections in Greene County. I am also a member, past president and past legislative committee chairman of the Missouri Association of County Clerks.


3. Prior to 1997, section 116.240, RSMo, provided that not later than the eighth Tuesday prior to an election at which a statewide ballot issue is to be voted on, the secretary of state shall send each election authority a certified copy of the legal notice to be published (emphasis added). The same deadline had applied to all political subdivisions in 115.125.

4. In 1997, the General Assembly passed House Committee Substitute for Senate Bill No. 132 (SB 32). This bill extended the notice requirement in section 116.240 from eight weeks to ten weeks. I was very pleased when the General Assembly passed SB 32 and Governor Carnahan signed it into law. The County Clerks Association worked hard for its passage because we knew the additional time was necessary for us to meet other statutory deadlines. Prior to the passage of SB 32, the clerks had a difficult, if not impossible, time in getting absentee ballots to overseas voters such as military voters in time for them to cast their ballots and return them to be counted. Section 115.281 requires election authorities to have absentee ballots for statewide measures printed and available to voters six weeks before the election. To be counted, absentee ballots must be returned to the election authority by the time the polls close on election day, so it is imperative that the ballots be printed in time to give overseas military voters time to receive their absentee ballots and return them before the deadline to be counted. As of today, we have one-hundred-eleven (111) absentee requests on file from military personnel for the August Primary. More arrive daily.

5. The ten weeks notice is especially important for the August political primary election. The August primary election ballot is longer and more complex than for most other elections because more candidates appear on the ballot than in general elections. Ballot styles can change from precinct to precinct because political party committeemen and committeewoman are elected in the August Primary. These factors place a substantial burden on the printers who lay

out and print our ballots, because the bigger and more complex the ballot, the more time it takes to print it. The ten-week certification deadline also provides litigants more time to challenge the ballot language when the need or desire arises.

FURTHER AFFIANT SAYETH NOT.

  
RICHARD T. STRUCKHOFF

STATE OF MISSOURI       )  
                                  ) SS.  
COUNTY OF GREENE     )

Subscribed and affirmed before me this 28 day of May, 2004.

  
Notary

